

AMENDED IN SENATE AUGUST 18, 2003

AMENDED IN SENATE JULY 1, 2003

AMENDED IN ASSEMBLY MAY 6, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 413**

**Introduced by Assembly Member Goldberg**

February 14, 2003

---

---

An act to add Section 5003.18 to the *Public Resources Code*, relating to state property, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 413, as amended, Goldberg. Property transactions.

Existing law specifies that, with respect to state agencies expressly or impliedly authorized to enter into these transactions, unless the Legislature specifically provides that approval by the Director of General Services is not required, every conveyance, contract, or agreement whereby an interest of the state in any real property is conveyed, demised, or let to any person, shall be approved by the Director of General Services.

This bill would, notwithstanding that approval requirement, authorize the Department of Parks and Recreation to ~~convey an unspecified number of~~ lease 20 acres at a site commonly known as Taylor Yard to the City of Los Angeles, ~~if the city conveys to the department a substantially equivalent parcel or parcels of land adjacent~~

~~to, or in the immediate vicinity of, other existing state park units. The bill would prohibit the use of eminent domain to acquire real property for the exchange. The bill would require that any transaction related to the exchange be approved by the State Public Works Department for the development and operation of a local park with regional benefits, as specified.~~

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) As part of a high priority to increase park and open-space  
4 opportunities in urban areas, the Department of Parks and  
5 Recreation purchased a 40-acre parcel in *the City of Los Angeles*  
6 known as Taylor Yard.

7 (b) Statewide and community needs related to Taylor Yard will  
8 best be served by a coordinated and cooperative relationship  
9 between the ~~State~~ Department of Parks and Recreation and the  
10 City of Los Angeles Department of Recreation and Parks. The goal  
11 of this cooperative relationship should be to utilize and maximize  
12 the strengths and missions of each entity in order to provide quality  
13 outdoor recreational and natural resources ~~preservation~~  
14 *enhancement* opportunities at the site, including organized sports  
15 fields to be owned and operated by the city:

16 ~~(c) A land exchange between the city and the Department of~~  
17 ~~Parks and Recreation is needed to facilitate the provision of~~  
18 ~~organized sports opportunities. Specifically, the Department of~~  
19 ~~Parks and Recreation should convey a portion of Taylor Yard to the~~  
20 ~~city that is adequate in size for organized sports activities. In~~  
21 ~~exchange, the city should convey property of substantially~~  
22 ~~equivalent value to the State Department of Parks and Recreation~~  
23 ~~that will enhance and be adjacent to existing state park units.~~

24 ~~(d) The Department of Parks and Recreation should notify the~~  
25 ~~Department of Finance prior to the completion of any land~~  
26 ~~exchange described in subdivision (c).~~



~~SEC. 2.—Notwithstanding Section 11011 and following of the Government Code, relating to surplus land, and Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5 of the Government Code, the Department of Parks and Recreation may convey \_\_\_\_\_ acres of land at the site commonly known as Taylor Yard to the City of Los Angeles in a location and configuration appropriate for local parks organized sports activities subject to all of the following conditions:~~

~~(a) An agreement is negotiated between the Department of Parks and Recreation and the City of Los Angeles.~~

~~(b) The City of Los Angeles conveys to the Department of Parks and Recreation a substantially equivalent parcel or parcels of land adjacent to, or in the immediate vicinity of, other existing state park units and compatible with state park operational resources.~~

~~(c) The exchange of real property is based on substantially equivalent property values, as determined by a mutually agreeable valuation process.~~

~~(d) Notwithstanding any other provision of law, eminent domain may not be used to acquire real property for the exchange.~~

~~(e) Any transaction shall be subject to approval of the State Public Works Board. . This cooperative relationship should include a collaborative planning and design process. Collaborative planning and design is necessary to ensure that the parcel within the Taylor Yard to be leased to the City of Los Angeles for local park purposes with regional benefits, and the parcel within the Taylor Yard to be retained by the Department of Parks and Recreation for state park purposes, are developed in a compatible manner that meets the needs of the public.~~

~~(c) A lease of this land by the Department of Parks and Recreation to the City of Los Angeles is needed to facilitate the provision of organized sports opportunities. Specifically, the Department of Parks and Recreation should lease a portion of Taylor Yard to the City of Los Angeles, not to exceed 20 acres and which is appropriate for city-developed and managed local and regional recreational needs, including organized, youth sports activities.~~

~~(d) To meet the needs of the public, dedication of necessary resources and timely development of the Taylor Yard parcel is critical. In light of this need, the lease agreement shall specify that,~~

1 *if the property leased by the Department of Parks and Recreation*  
2 *to the City of Los Angeles is not improved to provide local park*  
3 *opportunities with regional benefits within five years, the state may*  
4 *terminate the lease.*

5 *(e) To ensure the timely development of regional parks and*  
6 *organized sports opportunities on the parcel to be leased to the*  
7 *City of Los Angeles, the city shall utilize portions of funding*  
8 *available to the city for park purposes, including state and local*  
9 *funds.*

10 SEC. 2. *Section 5003.18 is added to the Public Resources*  
11 *Code, to read:*

12 5003.18. (a) *Notwithstanding Section 5003.17 or any other*  
13 *provision of law, the director may lease to the City of Los Angeles*  
14 *a parcel, not to exceed 20 acres of unimproved real property*  
15 *situated in the City of Los Angeles, that parcel being a portion of*  
16 *the property owned by the department and commonly known as*  
17 *Taylor Yard.*

18 (b) *The term of the lease shall be for a period not to exceed 25*  
19 *years and shall be without monetary consideration, except that the*  
20 *city shall fund the development and operation of the park. The*  
21 *terms of the lease shall specify the nature of the city's control of,*  
22 *and responsibility for the operation of, the parcel.*

23 (c) *The purpose of the lease shall be for the development and*  
24 *operation by the city of a local park with regional benefits*  
25 *containing and providing organized sports facilities that will*  
26 *primarily serve the youth of the Los Angeles region.*

27 (d) *If the city fails to develop a local park with regional benefits*  
28 *containing and providing organized sports facilities within five*  
29 *years of execution of the lease, the state shall have the right to*  
30 *terminate the lease.*

31 (e) *Upon one year's written notice from the city and upon the*  
32 *state's written consent as granted pursuant to the state's sole*  
33 *discretion, the lease may be extended for an additional 25 years*  
34 *commencing on the first calendar day after the date set for*  
35 *expiration of the lease.*

36 SEC. 3. *This act is an urgency statute necessary for the*  
37 *immediate preservation of the public peace, health, or safety*  
38 *within the meaning of Article IV of the Constitution and shall go*  
39 *into immediate effect. The facts constituting the necessity are:*

1 In order to ensure that the City of Los Angeles may apply for  
2 Proposition 40 funds or grants in a timely manner to develop  
3 organized sports facilities on the land ~~conveyed~~ *leased* to the city,  
4 it is necessary for this act to take effect immediately.

O

